

determination by the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force that the property so conveyed is useful for military, air, or naval purposes or in the interest of national defense, the United States shall have the right, without charge, except as indicated below, to the full unrestricted possession, control, and use of the property conveyed, or any part thereof, including any additions or improvements thereto made by the State subsequent to this conveyance: *Provided, however*, That the United States shall be responsible during the period of such use for the entire cost of maintaining all of the property so used, and shall pay a fair rental for the use of any structures or other improvements which have been added thereto without Federal aid: *And provided further*, That such right to possession, control, or use shall not apply to the property described in section 2 of this Act or to such bridge or to any structures or improvements used or useful in connection therewith and with respect thereto the United States shall have only such right as it may have with respect to other property not owned by the United States."

SEC. 4. The Act is amended by adding thereto a new section, numbered 6, reading as follows:

"SEC. 6. The Secretary of the Army is hereby authorized and directed to incorporate the foregoing provisions of this Act in any conveyance made by him or, if a conveyance has been made by him prior to the amendment of this Act, he shall make, execute, and deliver an appropriate written instrument amending such conveyance to conform to the provisions of this Act."

Approved September 2, 1957.

Public Law 85-261

AN ACT

To amend section 372 of title 28, United States Code.

September 2, 1957
[H. R. 110]

Title 28, U. S.
Code, amendment.

62 Stat. 903.

Disabled judge.
Appointment of
additional judge.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 372 of title 28 of the United States Code, as amended, is further amended by inserting at the end thereof an additional subsection reading as follows:

"(b) Whenever any judge of the United States appointed to hold office during good behavior who is eligible to retire under this section does not do so and a certificate of his disability signed by a majority of the members of the Judicial Council of his circuit in the case of a circuit or district judge, or by the Chief Justice of the United States in the case of the Chief Judge of the Court of Claims, Court of Customs and Patent Appeals, or Customs Court, or by the chief judge of his court in the case of a judge of the Court of Claims, Court of Customs and Patent Appeals, or Customs Court, is presented to the President and the President finds that such judge is unable to discharge efficiently all the duties of his office by reason of permanent mental or physical disability and that the appointment of an additional judge is necessary for the efficient dispatch of business, the President may make such appointment by and with the advice and consent of the Senate. Whenever any such additional judge is appointed, the vacancy subsequently caused by the death, resignation, or retirement of the disabled judge shall not be filled. Any judge whose disability causes the appointment of an additional judge shall, for purpose of precedence, service as chief judge, or temporary performance of the duties of that office, be treated as junior in commission to the other judges of the circuit, district, or court."

Approved September 2, 1957.